THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION No. 23539 of 2006

05-01-2007

Between:
L.Suresh Babu and others

.... PETITIONERS

AND

Govt. of A.P. rep. By its Secretary, Higher Education Department, Secretariat, Hyderabad & others.

...RESPONDENTS

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION No. 23539 of 2006

O R D E R:

This writ petition is filed questioning the proceedings dated 3-11-2006 issued by the third respondent-University and for a consequential direction to respondents to issue Hall Tickets to the petitioners and permit them to attend the examinations scheduled to be held with effect from 13-11-2006 onwards.

The petitioners after completing their diplomas in Polytechnic College appeared for Engineering Common Entrance Test (ECET) conducted for Diploma Holders to seek lateral entry into II year Engineering/Pharmacy. Though the course commenced in the month of July, 2006, they came to be qualified only on account of reducing cut-off marks from 30% to 25% by G.O.Ms.Nos.152, dated 31-08-2006. Consequent to issuance of orders by the Government in G.O.Ms.Nos.152 and 153, dated 31-08-2006, they were admitted in the month of September, 2006. But, however, the third respondent-University issued impugned proceedings dated 3-11-2006 to the effect that for the purpose of reckoning the percentage of attendance, the same has to be calculated from the date of commencement of class work and not from the date of joining of the student. Inasmuch as the very admission of the petitioners was consequent to the orders passed by the Government in the month of August, 2006, for the purpose of attendance requirement the same cannot be computed from the date of commencement of class work. Hence the writ petition.

While admitting the writ petition on 10-11-2006, this Court directed the respondents to issue Hall Tickets to the petitioners and permit them to attend examinations.

No counter affidavit is filed by the respondents. But, however, it is submitted by the learned standing counsel appearing for the third respondent-University that subsequent to filing of the writ petition, the respondents had taken a decision in general to permit all the candidates to appear for examinations and accordingly, permitted them to attend the examinations.

In view of the above submission of the learned standing counsel and as the petitioners secured admission pursuant to relaxation of rules in G.O.Ms.Nos.152 and 153, dated 31-08-2006, I dispose of the writ petition directing the respondents to announce the results of the petitioners and permit them to prosecute further studies.

The Writ Petition is accordingly disposed of. No order as to costs.

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05-01-2007

Note:Furnish copy within three days
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GRR